

Appendix A. Summary of Listing Recommendations of the Ohio TMDL External Advisory Group

The following is from the Executive Summary of "Recommendations on Total Maximum Daily Loads," Report to the Director of the Ohio EPA, June 30, 2000, prepared by the Ohio EPA External Advisory Group on Total Maximum Daily Loads.

The Listing Subgroup prepared sixteen major recommendations in a number of important areas related to listing and de-listing of the waters on Ohio's TMDL (303d) list. Recommendations were made in the areas of monitoring and data, priority setting and public involvement.

- **Monitoring and Data**

The Listing Subgroup urges the Ohio EPA to increase the coverage of monitoring in Ohio to allow watersheds to be listed and de-listed with sufficient time for the TMDL process to address the range of impaired waters across the State. The subgroup is especially concerned about the number of waters for which data is unavailable, insufficient or too old with which to make sound decisions about listing and de-listing.

Related to the increase in monitoring is the need to make all the information used in the TMDL process promptly available to stakeholders and the public in easily understandable and easily accessible formats (e.g., web). Because of the importance of human health concerns, all human health and fish tissue data collected by the various resource agencies in Ohio (state, local, and federal) should be coordinated and available electronically for the TMDL process.

Ohio EPA should investigate other available information sources, and each type of data collected and used in the TMDL process should have an appropriate and adequate level of accuracy, precision, and reliability for its intended use in the TMDL process. The white paper the subgroup produced on minimum data quality requirements for listing and de-listing waters comprises its recommendation for minimum requirements related to the listing process.

- **Priority Setting**

The Listing Subgroup recognizes that the TMDL process cannot immediately address all impaired waters. As a result, the subgroup recommends that a priority system be developed to allow Ohio EPA to address some problem areas more quickly, and perhaps with more effort, than others. The subgroup recommends that human health risks should receive additional priority in the TMDL process, including impaired and threatened public water supplies. Because of the predominance of habitat impairment of aquatic life in Ohio, waters impaired by habitat should be incorporated into the priority process as if a TMDL were required.

The Listing Subgroup recognizes that there are environmental costs to deferring certain waters until late in the process, when they may then be more difficult or less able to be restored. Ohio EPA should quantify the "cost of inaction" and incorporate this factor into its priority system. Ohio EPA should also develop a clear decision making process, using the factors mentioned here and others, including the presence of federal/state endangered or

threatened species, restorability, and magnitude of impairment, and make this available for public review.

- **Public Involvement**

The Listing Subgroup recommends that public involvement be incorporated throughout the listing process. The process of listing and identifying causes and sources of impairment should be clearly and concisely summarized in the 303(d) list introduction. How various types of data can and will be used should also be described, and public input on all aspects of the proposed list should be solicited. Finally, the Ohio EPA should provide a specific mechanism for the public to appeal the agency's decisions on listing, failure to list, de-listing or acceptance of data.